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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/080,461	05/19/98	ASAMA	H P619-93US0

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EXAMINER

JOSEPH, T

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

06/16/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/080,461

Applicant(s)

Asama et al.

Examiner

Thomas Joseph

Group Art Unit

2773



☒ Responsive to communication(s) filed on May 19, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 ^{RB} month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-11 and 16 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-11 and 16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on May 19, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

1. Claims 1-19 are pending in this application. Claims 1, 6, and 11 are independent claims.
2. The present title of the inventions is "User Adaptive Variable Environment System."

Drawings

3. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figs. 1-5 as described in the specification. For example, placing a label, "user recognizing unit", with element 2 of fig. 1 would give the viewer necessary detail to fully understand this element at a glance. A *descriptive* textual label for *each numbered element* in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1, 4-6, 9-11, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Bertram (pat. # 5,948,064).

Claims 1, 6, and 11 are rejected. Bertram teaches accessing a computer by an administrator (fig. 9); such a computer must be provided with an operating environment and a user recognizing unit such as a computer coupled with appropriate processor for processing logon commands. Bertram teaches software for determining an authorized user that can be interpreted as requiring an information storage medium to be applied to the user recognizing unit (fig. 9). Bertram teaches a system which includes an information storage medium storing a user environment information about environment suitable for a user, and the user recognizing unit reads the user-environment information stored in the information storage medium and changes the operating environment of the computer so as fit with the user-environment information (col. 10, lines 38 - 65). Bertram teaches user authentication which translates into a process that requires a data server storing user-environment information corresponding to userid information identifying users (col. 4, lines 34 - 65).

Claims 4 and 9 are rejected. Bertram teaches the use of a non-native OS based environment which translates into a type of OS, a language in which information is to be displayed, for controlling usable applications software while interfacing with the layout of the keyboard (fig. 2). Bertram makes reference to a Windows NT system which uses a keyboard as one of its input devices (col. 4, lines 34 - 57).

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Claims 5 and 10 are rejected. Bertram teaches the use of an ID card, a type of computer readable medium, containing a password (col. 6, lines 35-51).

Claim 16 is rejected. Bertram teaches a machine referring to a computer, user information referring to userid information identifying the user, and user setting information referring to user-environment information (col. 10, lines 38 - 65).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-3 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram (pat. # 5,948,064) as applied to claims 1 and 6 above, and further in view of Dedrick (pat. # 5,710,884).

Claims 2-3 and 7-8 are rejected. Bertram fails to teach use of an ID card with computer readable information which can be translated as a portable information storage medium. Dedrick teaches the use of an ID card with computer readable information which can be translated as a portable information storage medium (col. 6, lines 23 - 67). It would have been obvious to one with ordinary skill in the art at the time of the invention to provide an ID card with computer readable information which can be translated as a portable information storage medium because

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doing so allows for authorize customized access to computer systems while reducing database requirements for the said computer systems.

Response to Arguments


8. Applicant's response filed May 15, 2000 have been fully considered. The Applicant made an appropriate response to the restriction requirement by the Examiner and amended the specification in response to the specification objection. The Examiner therefore withdraws the said specification objection. The Applicant however fails to respond to the drawing objection stated in paper #3. The said drawing objection in paper #3 remains standing. Elected claims 1-11 and 16 are rejected due to at least the reasons stated above.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Joseph whose telephone number is (703) 305-2277. The examiner can normally be reached on Monday through Friday from 7:30 pm to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim, can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

tjj/5-14-2000



RAYMOND J. BAYERL
PRIMARY EXAMINER
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